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January 15, 1998

Mr. Charles M. Auer  
Chemical Control Division  
Office of Pollution Prevention and Toxics  
U.S. Environmental Protection Agency  
401 M Street, S.W., Mail Code 7405  
Washington, D.C. 20460



Re: Extension Request for Submission of Comments; Amended Proposed  
Test Rule for Hazardous Air Pollutants; 62 FR 67466 (Dec. 24, 1997).

Dear Mr. Auer:

The American Petroleum Institute (API), on behalf of its more than 300 member companies, hereby requests a 120-day extension of the comment period for the amended proposed rule (62 *Federal Register* 67466, December 24, 1997) under section 4(a) of the Toxics Substances Control Act (TSCA). The amended proposed rule would require manufacturers and processors of 21 hazardous air pollutants (HAPs) to test for certain health effects. The comment period is currently scheduled to close on February 9, 1998; a 120-day extension would cause the comment period to close on June 10, 1998.

API believes that an extension of the comment period is necessary to allow enough time for adequate review and consideration of the far reaching policy changes embodied in the amended proposed HAPs test rule. Specifically, API is very concerned about proposed changes in the definition of "persons required to test," which potentially would reverse decades of Agency regulation and implementation of TSCA section 4(a) testing obligations. This change alone potentially would denote major policy and economic implications which will be borne by industry and require significant time to comprehend.

Additionally, it does not appear that there will be any adverse impact on health or the environment from a 120-day extension. Indeed, the HAPs test rule (originally proposed on June 26, 1996) already has been extended for far longer periods of time without consequence.

Thank you for considering our request. We trust that you will let us know whether an extension has been granted as soon as possible. If you have any questions regarding this letter, please contact Walter L. McLeod at (202) 682-8493.

Sincerely,

*J.E. Rucker*

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cc: Richard W. Leukroth, Jr.

Frank Kover

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